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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GEORGE A. TOLIVER,

Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE
OFFICER J. SOLES, et al.,

Defendants.

Case No. 2:17-cv-02612-MMD-DJA

ORDER

This matter is before the Court on Plaintiff George A. Toliver's Motion for Service of Summons and Complaint (ECF No. 19), filed on October 11, 2019. The Court previously ordered that Toliver complete the summons and USM-285 forms for the following defendants identified in his complaint, which was permitted to proceed after screening: (1) Las Vegas Metropolitan Police Department Officer J. Soles #15320; (2) unnamed Las Vegas Metropolitan Police Department Officer #15319; (3) parole officer John D. Mehalko; (4) parole sergeant E. Tanner; and (5) parole lieutenant Shane Brandon, and file them with the court by August 10, 2019. (ECF No. 13). It appears as though the summons/USM-285 were returned unexecuted for Officer J. Soles #15320, Officer #15319, Shane Brandon, John Mehalko, and E. Tanner. (ECF Nos. 16-17). Toliver completed new summons/USM-285 forms and now requests assistance with service as he was informed that the correct place of service is the parole office on 215 West Bonaza and the Attorney General's office refused to accept service.

To the extent that Toliver requests assistance with service on the unserved defendants permitted to proceed in this action as stated above, his request is granted. *See* Fed. R. Civ. P. 4(c)(3) (providing that the court must order service by a United States marshal if the plaintiff is authorized to proceed *in forma pauperis* under 28 U.S.C. § 1915). To the extent he requests to add new defendants, his request is denied.

1 **IT IS HEREBY ORDERED** that Plaintiff George A. Toliver's Motion for Service of
2 Summons and Complaint (ECF No. 19) **is granted in part and denied in part.**

3 **IT IS FURTHER ORDERED** that the clerk of court must send to Toliver five blank
4 summons forms and five blank USM-285 forms for the five unserved defendants, along with a
5 copy of this order.

6 **IT IS FURTHER ORDERED** that Toliver must complete the forms and file them with
7 the Court by November 18, 2019.

8 **IT IS FURTHER ORDERED** that upon receipt of the proposed summonses and
9 completed USM-285 forms from Toliver, the clerk of court must issue the summonses and deliver
10 the summonses, the USM-285 forms, a copy of Plaintiff's complaint (ECF No. 10), and a copy of
11 this order to the U.S. Marshal for service.

12 DATED: October 21, 2019



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE